

ORIGINAL

DEC - 5 2003

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

LUTRI

Clerk

W. F. Hoer
Deputy Clerk

Edwin Boatright, Idell E. Boatright
Dena Nichols, Katherine Coursey,
Andrea Banderas, Betty J. Bowling
PLAINTIFFS

-vs-

R. J. Corman Railroad Company,
LLC/Materials Sales, R. J. Corman
Railroad Company LLC, R.J. Corman
Derailment Services, LLC, R. J. Corman
R.J. Corman Distribution Centers, LLC
R.J. Corman Railroad Group,
R. J. Corman Derailment Services
Freight Transfer Division, R. J.
Corman Distribution Centers, LLC
R. J. Corman Railroad Construction
LLC, R. J. Corman Equipment
Company, R. J. Corman Equipment
Company, LLC

DEFENDANTS

Civil Action No: CV 1 03 CV 3794

Judge: _____

**COMPLAINT AND JURY
DEMAND**

Plaintiffs in complaint against defendants allege as follows:

1. Defendants are organized pursuant to the laws of a state other than Georgia.
2. Defendants' principal places of business are in a state other than Georgia.
3. Defendants conduct commercial business within this Judicial District including but not limited to those conducted at 4825 Mendel Ct, Atlanta, GA 30336.
4. At the time of commencement of this action, defendant was subject to personal jurisdiction at 4825 Mendel Ct., Atlanta, GA 30336.
5. Plaintiff, Idell E. Boatright, is a citizen and resident of the state of Georgia.
6. Plaintiffs, Edwin Boatright, Katherine Coursey, and Andrea Banderas, are the surviving adult offspring of decedent, Edward Deen Boatright, and citizens and residents of the state Georgia.

FORMS RECEIVED

Consent To Settle _____
Pretrial Conference _____
Title VII _____

7. Plaintiff, Dena Nichols, is a surviving adult offspring of decedent, Edward Deen Boatright, and a citizen and resident of the state of Alabama.
8. Plaintiff, Betty J. Bowling, is a citizen and resident of the state of Georgia.
9. The amount in controversy exceeds the sum of seventy-five thousand dollars (\$75,000.00), exclusive of interest and costs.
10. Jurisdiction is premised upon **Title 28 U.S.C. 1332 (a)(2)**.
11. Venue is premised upon **Title 28 U.S.C. 1391**.

COUNT I

12. Plaintiffs incorporate as if completely reiterated each of the above paragraphs and further allege:
13. On May 28, 2002, Chad Everett McKinney was employed by defendants as a tractor trailer operator.
14. On May 28, 2002, defendants owned a 1998 Peterbuilt Model 330 tractor bearing ID # 1NPNLD9X7XS485202.
15. On May 28, 2002, defendant's employee, Chad Everett McKinney, while in the course of his employment with defendants, negligently, gross negligently, willfully, and wantonly operated Corman's tractor trailer truck causing it to collide with an automobile occupied by plaintiff's decedent and plaintiff, Betty Jean Bowling.
16. As a direct and proximate result of the defendants' and/or their employee's negligence, Plaintiff's decedent, Edward D Boatright, suffered serious and fatal injuries, and plaintiffs suffered and/or incurred those damages provided for pursuant to the laws of the state of Georgia.

COUNT II

17. Plaintiffs incorporate as if completely reiterated, each of the above paragraphs and further allege:
18. As a direct and proximate result of the defendants and/or their employee's negligence, gross negligence, willful, wanton, and careless actions and/or inactions, plaintiff, Betty Jean Bowling, suffered serious and permanent physical injuries, pain and suffering, and has incurred medical and other expenses and losses, some of which will continue into the future.

COUNT IV

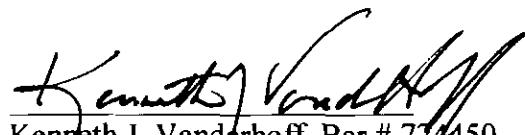
19. Plaintiffs incorporate as if completely reiterated, each of the above paragraphs and further allege:
20. Plaintiff, Idell E. Boatright, was the lawful wife of decedent, Edward Deen Boatright, and as a direct and proximate result of the negligent, gross negligent, willful, wanton, and careless actions and/or inactions of defendants and/or their employee, she has suffered and will continue to suffer in one degree or another, for a reasonable time into the future, the loss of society, care, consortium, assistance, and companionship of her husband.

COUNT III

21. Plaintiffs incorporate as if completely reiterated, each of the above paragraphs and further allege:
22. To the extent that defendants' actions and/or inactions constitute gross negligence, or willful, wanton, careless behavior conducted with a disregard for the safety and well being of others, including plaintiff, then plaintiff's request that

punitive damages be awarded.

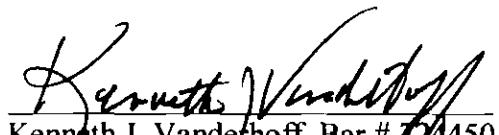
WHEREFORE, Plaintiffs demand judgment against the defendants in an amount in excess of the jurisdictional amount of this court and/or in an amount to be determined by the enlightened conscience of the jury, in full compensation for their respective injuries and losses, as allowed by the laws of this jurisdiction, and further demands a judgment of punitive damages in an amount to be determined by the enlightened conscience of the jury and for costs and attorney's fees against defendant, to the extent allowed by law.



Kenneth J. Vanderhoff, Bar # 724450
Attorney for Plaintiffs
115 West Courthouse Square
Cumming, GA 30040
770-887-1445

JURY DEMAND

Plaintiffs demand trial by jury.



Kenneth J. Vanderhoff, Bar # 724450
Attorney for Plaintiffs
115 West Courthouse Square
Cumming, GA 30040
770-887-1445

ORIGINAL

~AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Edwin Boatright, Idell E. Boatright,
Dena Nichols, Katherine Coursey,
Andrea Banderas, Betty J. Bowling,

**SUMMONS IN A CIVIL
CASE**

v.

CASE NUMBER:

03 CV 3794

R.J. Corman Railroad Company, LLC/Materials
Sales, R.J. Corman Railroad Company, LLC,
R.J. Corman Derailment Services, LLC, R. J.
Corman, R.J. Corman Distribution Centers, LLC,
R.J. Corman Railroad Group, LLC, R.J. Corman
Derailment Services Freight Transfer Division,
R.J. Corman Distribution Centers, LLC, R. J. Corman
Railroad Construction LLC, R.J. Corman Equipment
Company, R.J. Corman Equipment Company, LLC.

TO: (Name and address of Defendant)

R.J. Corman Railroad Company, LLC/Materials Sales, R.J. Corman Railroad Company, LLC,
R.J. Corman Derailment Services, LLC, R. J. Corman, R.J. Corman Distribution Centers, LLC,
R.J. Corman Railroad Group, LLC, R.J. Corman Derailment Services Freight Transfer Division,
R.J. Corman Distribution Centers, LLC, R. J. Corman Railroad Construction LLC, R.J. Corman
Equipment Company, R.J. Corman Equipment Company, LLC.

Tony Carrillo, Plant Manager
4825 Mendel Court
Atlanta, Georgia 30336

**YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and
address)**

Kenneth J. VanderHoff
115 West Courthouse Square
Cumming, Georgia 30040
770-887-1445

an answer to the complaint which is served on you with this summons, within **Twenty (20)** days after
service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default
will be taken against you for the relief demanded in the complaint. Any answer that you serve on the
parties to this action must be filed with the Clerk of this Court within a reasonable period of time after
service.

LUTHER D. THOMAS
CLERK

W. Thomas
(BY) DEPUTY CLERK

DEC - 5 2003
DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ <hr/>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ <hr/>		
<input type="checkbox"/> Returned unexecuted: _____ <hr/>		
<input type="checkbox"/> Other (specify): _____ <hr/>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ <i>Signature of Server</i></p> <p>_____ <i>Address of Server</i></p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

ORIGINAL

-AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Edwin Boatright, Idell E. Boatright,
Dena Nichols, Katherina Coursey,
Andrea Banderas, Betty J. Bowling,

**SUMMONS IN A CIVIL
CASE**

V.

CASE NUMBER:

1 03 CV 3794

R.J. Corman Railroad Company, LLC/Materials
Sales, R.J. Corman Railroad Company, LLC,
R.J. Corman Derailment Services, LLC, R. J.
Corman, R.J. Corman Distribution Centers, LLC,
R.J. Corman Railroad Group, LLC, R.J. Corman
Derailment Services Freight Transfer Division,
R.J. Corman Distribution Centers, LLC, R. J. Corman
Railroad Construction LLC. R.J. Corman Equipment
Company, R.J. Corman Equipment Company, LLC.

TO: (Name and address of Defendant)

R.J. Corman Railroad Company, LLC/Materials Sales, R.J. Corman Railroad Company, LLC,
R.J. Corman Derailment Services, LLC, R. J. Corman, R.J. Corman Distribution Centers, LLC,
R.J. Corman Railroad Group, LLC, R.J. Corman Derailment Services Freight Transfer Division,
R.J. Corman Distribution Centers, LLC, R. J. Corman Railroad Construction LLC. R.J. Corman
Equipment Company, R.J. Corman Equipment Company, LLC.

Tony Carrillo, Plant Manager
4825 Mendel Court
Atlanta, Georgia 30336

**YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and
address)**

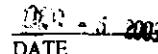
Kenneth J. VanderHoff
115 West Courthouse Square
Cumming, Georgia 30040
770-887-1445

an answer to the complaint which is served on you with this summons, within **Twenty (20)** days after
service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default
will be taken against you for the relief demanded in the complaint. Any answer that you serve on the
parties to this action must be filed with the Clerk of this Court within a reasonable period of time after
service.

LUTHER G. THOMAS

CLERK


(By) DEPUTY CLERK


DATE

Dec 5 2003

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served: _____

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____

Returned unexecuted: _____

Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
--------	----------	-------

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____ Date _____ Signature of Server _____

Address of Server _____

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

ORIGINIAL

~AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Edwin Boatright, Idell E. Boatright,
Dena Nichols, Katherina Coursey,
Andrea Banderas, Betty J. Bowling,

**SUMMONS IN A CIVIL
CASE**

v.

CASE NUMBER:

1 03 CV 3794

R.J. Corman Railroad Company, LLC/Materials
Sales, R.J. Corman Railroad Company, LLC,
R.J. Corman Derailment Services, LLC, R. J.
Corman, R.J. Corman Distribution Centers, LLC,
R.J. Corman Railroad Group, LLC, R.J. Corman
Derailment Services Freight Transfer Division,
R.J. Corman Distribution Centers, LLC, R. J. Corman
Railroad Construction LLC, R.J. Corman Equipment
Company, R.J. Corman Equipment Company, LLC.

TO: (Name and address of Defendant)

R.J. Corman Railroad Company, LLC/Materials Sales, R.J. Corman Railroad Company, LLC,
R.J. Corman Derailment Services, LLC, R. J. Corman, R.J. Corman Distribution Centers, LLC,
R.J. Corman Railroad Group, LLC, R.J. Corman Derailment Services Freight Transfer Division,
R.J. Corman Distribution Centers, LLC, R. J. Corman Railroad Construction LLC, R.J. Corman
Equipment Company, R.J. Corman Equipment Company, LLC.

Kenneth D. Adams, Resident Agent
One Jay Station
Nicholasville, Kentucky 40356

**YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and
address)**

Kenneth J. VanderHoff
115 West Courthouse Square
Cumming, Georgia 30040
770-887-1445

an answer to the complaint which is served on you with this summons, within **Twenty (20)** days after
service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default
will be taken against you for the relief demanded in the complaint. Any answer that you serve on the
parties to this action must be filed with the Clerk of this Court within a reasonable period of time after
service.

LUTHER D. THOMAS
CLERK

DEC - 5 2003
DATE


(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served: _____

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____

Returned unexecuted: _____

Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
--------	----------	-------

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____

Date _____

Signature of Server _____*Address of Server* _____

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

ORIGINAL

-AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Edwin Boatright, Idell E. Boatright,
Dena Nichols, Katherine Coursey,
Andrea Banderas, Betty J. Bowling,

**SUMMONS IN A CIVIL
CASE**

V.

CASE NUMBER:

R.J. Corman Railroad Company, LLC/Materials
Sales, R.J. Corman Railroad Company, LLC,
R.J. Corman Derailment Services, LLC, R. J.
Corman, R.J. Corman Distribution Centers, LLC,
R.J. Corman Railroad Group, LLC, R.J. Corman
Derailment Services Freight Transfer Division,
R.J. Corman Distribution Centers, LLC, R. J. Corman
Railroad Construction LLC, R.J. Corman Equipment
Company, R.J. Corman Equipment Company, LLC.

1 03 CV 3794

TO: (Name and address of Defendant)

R.J. Corman Railroad Company, LLC/Materials Sales, R.J. Corman Railroad Company, LLC,
R.J. Corman Derailment Services, LLC, R. J. Corman, R.J. Corman Distribution Centers, LLC,
R.J. Corman Railroad Group, LLC, R.J. Corman Derailment Services Freight Transfer Division,
R.J. Corman Distribution Centers, LLC, R. J. Corman Railroad Construction LLC, R.J. Corman
Equipment Company, R.J. Corman Equipment Company, LLC.

Kenneth D. Adams, Resident Agent
One Jay Station
Nicholasville, Kentucky 40356

**YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and
address)**

Kenneth J. VanderHoff
115 West Courthouse Square
Cumming, Georgia 30040
770-887-1445

an answer to the complaint which is served on you with this summons, within **Twenty (20)** days after
service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default
will be taken against you for the relief demanded in the complaint. Any answer that you serve on the
parties to this action must be filed with the Clerk of this Court within a reasonable period of time after
service.

LUTHER A. THOMAS

CLERK

T. W. Jones
(By) DEPUTY CLERK

DEC - 5 2003

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served: _____

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____

Returned unexecuted: _____

Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____ Date _____ Signature of Server _____

Address of Server _____

ORIGINIAL

~AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Edwin Boatright, Idell E. Boatright,
Dena Nichols, Katherina Coursey,
Andrea Banderas, Betty J. Bowling,

**SUMMONS IN A CIVIL
CASE**

V.

CASE NUMBER:

1 03 CV 3794

R.J. Corman Railroad Company, LLC/Materials
Sales, R.J. Corman Railroad Company, LLC,
R.J. Corman Derailment Services, LLC, R. J.
Corman, R.J. Corman Distribution Centers, LLC,
R.J. Corman Railroad Group, LLC, R.J. Corman
Derailment Services Freight Transfer Division,
R.J. Corman Distribution Centers, LLC, R. J. Corman
Railroad Construction LLC. R.J. Corman Equipment
Company, R.J. Corman Equipment Company, LLC.

TO: (Name and address of Defendant)

R.J. Corman Railroad Company, LLC/Materials Sales, R.J. Corman Railroad Company, LLC,
R.J. Corman Derailment Services, LLC, R. J. Corman, R.J. Corman Distribution Centers, LLC,
R.J. Corman Railroad Group, LLC, R.J. Corman Derailment Services Freight Transfer Division,
R.J. Corman Distribution Centers, LLC, R. J. Corman Railroad Construction LLC. R.J. Corman
Equipment Company, R.J. Corman Equipment Company, LLC.

Kenneth D. Adams, Resident Agent
One Jay Station
Nicholasville, Kentucky 40356

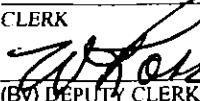
**YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and
address)**

Kenneth J. VanderHoff
115 West Courthouse Square
Cumming, Georgia 30040
770-887-1445

an answer to the complaint which is served on you with this summons, within **Twenty (20)** days after
service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default
will be taken against you for the relief demanded in the complaint. Any answer that you serve on the
parties to this action must be filed with the Clerk of this Court within a reasonable period of time after
service.

LUTHER D. THOMAS

CLERK


(By) DEPUTY CLERK

DEC - 5 2003

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ <i>Signature of Server</i></p> <p>_____ <i>Address of Server</i></p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

ORIGINAL

-AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Edwin Boatright, Idell E. Boatright,
Dena Nichols, Katherina Coursey,
Andrea Banderas, Betty J. Bowling,

**SUMMONS IN A CIVIL
CASE**

V.

CASE NUMBER:

1 03 CV 3794

R.J. Corman Railroad Company, LLC/Materials
Sales, R.J. Corman Railroad Company, LLC,
R.J. Corman Derailment Services, LLC, R. J.
Corman, R.J. Corman Distribution Centers, LLC,
R.J. Corman Railroad Group, LLC, R.J. Corman
Derailment Services Freight Transfer Division,
R.J. Corman Distribution Centers, LLC, R. J. Corman
Railroad Construction LLC. R.J. Corman Equipment
Company, R.J. Corman Equipment Company, LLC.

TO: (Name and address of Defendant)

R.J. Corman Railroad Company, LLC/Materials Sales, R.J. Corman Railroad Company, LLC,
R.J. Corman Derailment Services, LLC, R. J. Corman, R.J. Corman Distribution Centers, LLC,
R.J. Corman Railroad Group, LLC, R.J. Corman Derailment Services Freight Transfer Division,
R.J. Corman Distribution Centers, LLC, R. J. Corman Railroad Construction LLC. R.J. Corman
Equipment Company, R.J. Corman Equipment Company, LLC.

R.J. Corman, Resident Agent
One Jay Station
Nicholasville, Kentucky 40356

**YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and
address)**

Kenneth J. VanderHoff
115 West Courthouse Square
Cumming, Georgia 30040
770-887-1445

an answer to the complaint which is served on you with this summons, within **Twenty (20)** days after
service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default
will be taken against you for the relief demanded in the complaint. Any answer that you serve on the
parties to this action must be filed with the Clerk of this Court within a reasonable period of time after
service.

LUTHER D. THOMAS
CLERK

DEC - 5 2003
DATE

ZWD
(BY) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input type="checkbox"/> Other (specify): _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ <i>Signature of Server</i></p> <p style="text-align: center;"><i>Address of Server</i></p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

ORIGINAL

~AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Edwin Boatright, Idell E. Boatright,
Dena Nichols, Katherine Coursey,
Andrea Banderas, Betty J. Bowling,

**SUMMONS IN A CIVIL
CASE**

v.

CASE NUMBER:

1 03 CV 3794

R.J. Corman Railroad Company, LLC/Materials
Sales, R.J. Corman Railroad Company, LLC,
R.J. Corman Derailment Services, LLC, R. J.
Corman, R.J. Corman Distribution Centers, LLC,
R.J. Corman Railroad Group, LLC, R.J. Corman
Derailment Services Freight Transfer Division,
R.J. Corman Distribution Centers, LLC, R. J. Corman
Railroad Construction LLC. R.J. Corman Equipment
Company, R.J. Corman Equipment Company, LLC.

TO: (Name and address of Defendant)

R.J. Corman Railroad Company, LLC/Materials Sales, R.J. Corman Railroad Company, LLC,
R.J. Corman Derailment Services, LLC, R. J. Corman, R.J. Corman Distribution Centers, LLC,
R.J. Corman Railroad Group, LLC, R.J. Corman Derailment Services Freight Transfer Division,
R.J. Corman Distribution Centers, LLC, R. J. Corman Railroad Construction LLC. R.J. Corman
Equipment Company, R.J. Corman Equipment Company, LLC.

R.J. Corman, Resident Agent
One Jay Station
Nicholasville, Kentucky 40356

**YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and
address)**

Kenneth J. VanderHoff
115 West Courthouse Square
Cumming, Georgia 30040
770-887-1445

an answer to the complaint which is served on you with this summons, within **Twenty (20)** days after
service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default
will be taken against you for the relief demanded in the complaint. Any answer that you serve on the
parties to this action must be filed with the Clerk of this Court within a reasonable period of time after
service.

LUTHER D. THOMAS

CLERK


(By) DEPUTY CLERK

DEC - 5 2003

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (PRJNT)	TITLE

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served: _____

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____

Returned unexecuted: _____

Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date _____ *Signature of Server*

Address of Server